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7 IN THE UNITED STATES DISTRICT COURT
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9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNIVERSITY OF PITTSBURGH OF THE
11 COMMONWEALTH SYSTEM OF HIGHER
12 EDUCATION d/b/a UNIVERSITY OF
PITTSBURGH, a Pennsylvania non-profit
corporation (educational),

No. C-08-2973 MMC

**ORDER CONTINUING HEARING ON
DEFENDANT'S MOTION TO TRANSFER**

13 Plaintiff,

14 v.

15 VARIAN MEDICAL SYSTEMS, INC., a
16 Delaware corporation,

17 Defendant.

18 _____ /

19 On June 27, 2008, defendant filed a "Motion to Transfer Action to U.S. District Court
20 for Western District of Pennsylvania," which motion has been fully briefed and is presently
21 set for hearing on August 29, 2008. On July 23, 2008, defendant filed a "Motion to Dismiss
22 Plaintiff's Claims Pursuant to Fed. R. Civ. P. 12(b)(6) Based on Doctrine of Res Judicata,"
23 noticing said motion for hearing on September 5, 2008.

24 In the interest of judicial economy, the hearing on defendant's Motion to Transfer is
25 hereby CONTINUED to September 5, 2008.

26 **IT IS SO ORDERED.**

27 Dated: July 25, 2008

Maxine M. Chesney
MAXINE M. CHESNEY
United States District Judge